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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,731	04/09/2004	Yu-Jen Chuang	250122-1470	1519
24504	7590	08/18/2006	EXAMINER	
THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP			CARTER, WILLIAM JOSEPH	
100 GALLERIA PARKWAY, NW			ART UNIT	PAPER NUMBER
STE 1750				2875
ATLANTA, GA 30339-5948				

DATE MAILED: 08/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/821,731	CHUANG ET AL.	
	Examiner	Art Unit	
	William J. Carter	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 10 June 2006.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6,8-11 and 13 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,2,8-11 and 13 is/are rejected.
- 7) Claim(s) 3-6 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 09 April 2004 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 8-11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mai (6,871,979) in view of Evanicky et al. (6,144,360).

With respect to claim 1, Mai shows, a direct backlight module comprising: a first plate (50); a second plate (46) connected to the first plate forming a space between (Fig. 2); a plurality of light sources (44) disposed in the space; and a third plate (52) with a plurality of openings (58) disposed outside the space directly contacting the first plate where they meet and are fused (Fig. 2). Mai does not explicitly teach the third plate directly and conformally contracting the first plate along a substantial portion of the third plate and the first plate. Evanicky, also drawn to backlighting, teaches a third plate (45) directly and conformally contracting the first plate (42) along a substantial portion of the third plate and the first plate (Fig. 7). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the first and third plate alignment of Evanicky in the backlight of Mai, in order to reflect more light back into the second plate (56) (column 9, line 36-37).

As for claim 2, Mai further shows the direct backlight module wherein the first plate comprises: a plurality of protrusions; and a plurality of recesses, wherein the

plurality of protrusions and recesses are alternately arranged, and the plurality of light sources are disposed in the plurality of recesses (Fig. 2).

As for claim 8, Mai further shows the backlight module wherein the cross-section of the plurality of protrusions and recesses is trapezoidal-shaped (Fig. 6).

As for claim 9, Mai further shows the backlight module wherein the cross-section of the plurality of protrusions and recesses is triangular-shaped (Fig. 2).

As for claim 10, Mai further shows the backlight module wherein the first plate is a reflector plate (50).

As for claim 11, Mai further shows the backlight module wherein the second plate is a diffusion plate (46).

As for claim 13, Mai further shows the backlight module wherein the plurality of light sources (44) are lamps.

Allowable Subject Matter

Claims 3-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art does not teach or suggest the backlight module wherein a plurality of openings disposed outside the space in a third plate aligned with a plurality of protrusions in a first plate and form a plurality of channels, and the third plate comprises a plurality of flexible portions respectively connected to the sides of the channels.

Response to Arguments

Applicant's arguments filed 10 June 2006 have been fully considered but they are not persuasive. The applicant has correctly stated that Mai cools the lamps through heat convection. As stated, "air-flow through slit 56 and hole 58 is necessary," but this does not necessarily require a distance/separation between the items 50 and 52. The sir could simple move through slit 56 and hole 58 at the same time. The air-flow could still move inside and outside the unit.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Evanicky clearly states that by directly disposing a reflector sheet on the housing to partly mask the opening in the housing (column 9, lines 18-37) "more light is reflected" (column 9, lines 36-37).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Carter whose telephone number is (571)272-0959. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached on (571)272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ali Alavi
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PRIMARY EXAMINER

wjc
03/23/06